## No. 75

# **MICHIGAN SENATE**

## DAILY CALENDAR

WEDNESDAY, DECEMBER 6, 2000 10:00 a.m.

### MESSAGES FROM THE HOUSE

### SB 555 Sen. Hammerstrom

Sales tax; exemptions; vended nonalcoholic beverages; exempt.

Amends sec. 4g of 1933 PA 167 (MCL 205.54g).

I.E. House, November 2, 1999.

Returned from House with substitute (H-1), Wednesday, November 3, 1999; laid over under the rules.

Committee recommended I.E.

\_\_\_\_\_ 2 \_\_\_\_\_

### SB 1194 Sen. Gougeon

Sales tax; collections; collection of sales tax imposed on sale of certain aircraft and aircraft parts; require a portion to be earmarked into the aeronautics fund.

Amends sec. 25 of 1933 PA 167 (MCL 205.75).

I.E. House, June 8, 2000.

Returned from House with substitute (H-1), Thursday, June 8; laid over under the rules.

Committee recommended I.E.

\_\_\_\_ 3 \_\_\_\_\_

#### SB 1195 Sen. North

Use tax; collections; collection of use tax imposed on sale of certain aircraft and aircraft parts; require a portion to be earmarked into the aeronautics fund.

Amends sec. 21 of 1937 PA 94 (MCL 205.111).

I.E. House, June 8, 2000.

Returned from House with substitute (H-1), Thursday, June 8; laid over under the rules.

Committee recommended I.E.

4

### SB 612 Sen. Bullard

Housing; condominium; revisions and clarification of act; provide for.

Amends secs. 3, 6, 10, 45, 47a, 52, 58, 67, 73, 90, 106, 107, 108, 111, 112, 113, 132 & 135 of 1978 PA 59 (MCL 559.103 et seq.) & adds secs. 72b, 90a & 176.

I.E. House, November 30, 2000.

Returned from House with substitute (H-1), Tuesday, December 5; laid over under the rules.

Committee recommended I.E.

5

## SB 746 Sen. Miller

Financial institutions; generally; citations to the banking code in the natural resources and environmental protection act; revise.

Amends sec. 20101b of 1994 PA 451 (MCL 324.20101b).

I.E. House, November 30, 2000.

Returned from House with substitute (H-1), Tuesday, December 5; laid over under the rules.

Committee recommended I.E.

### MESSAGES FROM THE HOUSE

\_\_\_\_\_ 6 <u>\_\_\_\_</u>

#### SB 752 Sen. Steil

Financial institutions; generally; citations to the banking code in the savings and loan act of 1980; revise.

Amends secs. 107, 700 & 800 of 1980 PA 307 (MCL 491.107 et seq.).

I.E. House, November 30, 2000.

Returned from House with substitute (H-1), Tuesday, December 5; laid over under the rules.

Committee recommended I.E.

7

### SB 1262 Sen. Johnson

Education; other; use of mercury in schools; eliminate. Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1274b.

I.E. House, November 30, 2000.

Returned from House with substitute (H-1), Tuesday, December 5; laid over under the rules.

Committee recommended I.E.

#### THIRD READING OF BILLS

8

### HB 4716 Rep. Godchaux

Criminal procedure; bail; individuals arrested for certain domestic violence crimes; prohibit release on interim bond by peace officer, and require arraignment or bond hearing by judicial officer before release, and require release condition of no contact with victim in certain circumstances.

Amends sec. 2a of 1961 PA 44 (MCL 780.582a).

House substitute (H-3).

Reported by Committee on Judiciary.

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### SJR M Sen. Stille

Property tax; assessments; agricultural property; impose constitutional requirement that assessment be based on existing use without regard to highest and best use.

Amends sec. 3, art. IX of the state constitution.

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-8).

For Senate amendments, see Senate Journal No. 53, page 1055.

Defeated, Thursday, June 1; motion to reconsider vote pending.

#### THIRD READING OF BILLS

— 10 ———

#### SB 1410 Sen. Schuette

Gaming; casinos; certain contributions to political committees and certain other committees; prohibit.

Amends sec. 7b of I.L. of 1996 (MCL 432.207b).

Reported by Committee on Gaming and Casino Oversight.

Senate substitute (S-1).

Committee recommended I.E.

Defeated, Thursday, October 5; motion to reconsider vote pending.

#### HB 5709 Rep. DeVuyst

Natural resources; gas and oil; postproduction costs; modify requirements.

Amends secs. 61503b & 61503c of 1994 PA 451 (MCL 324.61503b & 324.61503c).

I.E. House, May 25, 2000.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

### HB 5710 Rep. DeVuyst

Natural resources; other; penalties for violation of a natural resources commission order; provide for.

Amends secs. 40117 & 40118 of 1994 PA 451 (MCL 324.40117 & 324.40118).

I.E. House, May 25, 2000.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_\_

### **HB 5958** Rep. Law

Insurance; health care corporations; podiatric physician; include in definition of physician for continuity of care.

Amends sec. 402c of 1980 PA 350 (MCL 550.1402c).

I.E. House, October 4, 2000.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

### **HB 5959** Rep. Law

Insurance; health; podiatric physician; include in definition of physician for continuity of care.

Amends sec. 2212b of 1956 PA 218 (MCL 500.2212b).

I.E. House, October 4, 2000.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

### THIRD READING OF BILLS

— 15 ———

### **HB** 5410 Rep. Sanborn

Commercial code; secured transactions; reference to the uniform commercial code; revise.

Amends sec. 5 of 1976 PA 289 (MCL 390.1355).

Reported by Committee on Financial Services.

Committee recommended I.E.

16

### HB 5414 Rep. Koetje

Commercial code; secured transactions; reference to article 9 of the uniform commercial code; revise.

Amends sec. 501 of 1996 PA 354 (MCL 487.3501).

For House amendment, see House Journal No. 59, page 2139.

Reported by Committee on Financial Services. Committee recommended I.E.

<del>-----</del> 17 <del>-----</del>

### HB 4207 Rep. Cassis

Courts; district court; fifty-second district; authorize additional judgeship.

Amends sec. 8123 of 1961 PA 236 (MCL 600.8123).

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_ 18 \_\_\_\_\_

## HB 4388 Rep. Jelinek

Natural resources; wildlife; arrest without a warrant and other powers for park and recreation officers; provide for.

Amends sec. 1606 of 1994 PA 451 (MCL 324.1606).

I.E. House, May 3, 2000.

House substitute (H-2).

For House amendments, see House Journal No. 39, page 836.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

— 19 ———

### **HB 5839** Rep. Birkholz

Environmental protection; air pollution; class of emission limitation noncompliance for which emergency provides an affirmative defense; enlarge.

Amends sec. 5527 of 1994 PA 451 (MCL 324.5527).

I.E. House, June 6, 2000.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

### HB 6013 Rep. Shackleton

Natural resources; forests; adopt-a-forest program; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 360.

I.E. House, October 3, 2000.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

#### THIRD READING OF BILLS

<del>\_\_\_\_</del> 21 <del>\_\_\_\_</del>

#### **HB** 5028 Rep. Richardville

Highways; name; renaming a portion of I-75; designate as "Michigan's Congressional Medal of Honor Recipient Highway".

I.E. House, November 30, 1999.

House substitute (H-3).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

— 22 —

### HB 5940 Rep. Stamas

Counties; boards and commissions; procedures for road relinquishment; provide for.

Amends sec. 18 of 1909 PA 283 (MCL 224.18).

I.E. House, November 28, 2000.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

— 23 —

### HB 5996 Rep. Scranton

Highways; name; renaming a certain portion of M-59; establish as "Korean War 50th Anniversary Memorial Highway".

Creates new act.

I.E. House, October 4, 2000.

House substitute (H-1).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

**—** 24 **—** —

### HB 6031 Rep. Allen

Highways; name; renaming of M-109; establish as "D.H. Day Highway".

Creates new act.

I.E. House, November 9, 2000.

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

— 25 —

### HB 5669 Rep. Green

Vehicles; registration; provision relating to registration fees for certain vehicles used for farming operations; expand.

Amends sec. 801 of 1949 PA 300 (MCL 257.801).

I.E. House, May 3, 2000.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

— 26 —

### HB 5951 Rep. Vander Roest

Retirement; public school employees; definition of person not regularly employed by a reporting unit; revise.

Amends sec. 5 of 1980 PA 300 (MCL 38.1305).

I.E. House, October 3, 2000.

Reported by Committee on Appropriations.

For Senate amendment, see Senate Journal No. 74, page 1981.

Committee recommended I.E.

### THIRD READING OF BILLS

#### HB 4803 Rep. Green

Drains; other; drain code revision; provide for.

Amends secs. 1, 2, 3, 6, 8, 10, 12, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 101, 102, 103, 104, 105, 106, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 199, 200, 221, 222, 223, 241, 242, 243, 244, 245, 247, 261, 262, 263, 265, 266, 267, 269, 270, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 303, 304, 306, 307, 322, 322b, 323, 324, 326, 327, 328, 391, 392, 393, 395, 421, 422, 423, 425, 429, 430, 431, 433, 463, 464, 465, 466, 467, 468, 469, 472, 473, 474, 476, 478, 483, 490, 491, 499, 513, 515, 517, 518, 519, 520, 521, 524, 525, 532, 540, 541, 601, 602, 626 & 627 of 1956 PA 40 (MCL 280.1 et seq.); adds secs. 7, 7a, 7b, 7c, 13, 14, 34, 35, 55, 56, 57, 58, 59, 107, 108, 109, 110, 111, 112, 113, 201, 275a, 277a, 329, 330, 467a, 467b, 474a, 500, 519a, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 615, 616 & 617 & repeals secs. 4, 5, 11 & 22, ch. 4, ch. 6, secs. 193, 194, 195, 196, 197, 198, 246, 248, 268, 271, 272, 281, 321 & 325, chs. 14, 15 & 16, secs. 424, 426, 427, 428, 432 & 434, ch. 19, secs. 461, 470, 471, 480, 482, 485, 489a, 492 - 498, 511, 522, 523, 526 - 531, 533 - 539, 542 - 549, 551 - 583 & 621 of 1956 PA 40 (MCL 280.4 et seq.).

I.E. House, December 7, 1999.

House substitute (H-2).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-2).

For Senate amendments, see Senate Journal No. 74, page 1981.

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_\_ 28 \_\_\_\_\_\_

#### SB 836 Sen. Hammerstrom

Mental health; other; licensed professional counselors; include in list of qualified individuals to provide a second opinion determination for persons denied mental health services.

Amends secs. 100b & 705 of 1974 PA 258 (MCL 330.1100b & 330.1705).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

### SB 837 Sen. Johnson

Children; foster care; reference to licensed mental health professional; enact technical amendment to change cite because of amendment to mental health code.

Amends sec. 4c of 1994 PA 203 (MCL 722.954c).

Reported by Committee on Families, Mental Health and Human Services.

\_\_\_\_ 30 \_\_\_\_\_

#### **HB** 4259 Rep. Law

Businesses; charitable organizations; charitable organizations and solicitations act; revise.

Amends title & secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 20, 21 & 23 of 1975 PA 169 (MCL 400.272 et seq.); adds secs. 3a, 19, 19a, 19b, 19c, 19d, 22a, 23a, 23b & 23c & repeals secs. 14 & 22 of 1975 PA 169 (MCL 400.284 & 400.292).

I.E. House, April 29, 1999.

House substitute (H-1).

Reported by Committee on Gaming and Casino Oversight.

Senate substitute (S-1).

Committee recommended I.E.

— 31 —

## SB 1169 Sen. Gougeon

Natural resources; other; emergency recreational water access loan program; create for dredging due to low water levels.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 794.

Reported by Committee on Appropriations.

For Senate amendments, see Senate Journal No. 39, page 655.

Committee recommended I.E.

\_\_\_\_\_ 32 \_\_\_\_\_

### SB 1283 Sen. McCotter

Elections; candidates; signature requirements for county commission; revise.

Amends sec. 11 of 1966 PA 261 (MCL 46.411).

Reported by Committee on Government Operations. Committee recommended I.E.

— 33 *—* 

### SB 1284 Sen. Sikkema

Education; board members; signature requirement for office of school board; revise.

Amends secs. 614, 617 & 1066 of 1976 PA 451 (MCL 380.614 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

— 34 ———

### SB 1287 Sen. Hammerstrom

Libraries; other; signature requirement for office of library board; revise.

Amends sec. 11 of 1877 PA 164 (MCL 397.211).

Reported by Committee on Government Operations. Committee recommended I.E.

<del>\_\_\_ 35 \_\_\_\_\_</del>

#### SB 1220 Sen. Dingell

Natural resources; hunting; hunting from a moving vehicle; allow for certain individuals.

Amends sec. 40114 of 1994 PA 451 (MCL 324.40114).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

#### SB 121 Sen. Steil

Consumer protection; home solicitation sales; request to prohibit telephone numbers from appearing on telephone solicitor list; create.

Reported by Committee on Technology and Energy. Senate substitute (S-3).

Committee recommended I.E.

#### SB 990 Sen. Goschka

Consumer protection; home solicitation sales; telemarketing; provide for regulation.

Amends title & secs. 1, 1a & 7 of 1971 PA 227 (MCL 445.111 et seq.).

Reported by Committee on Technology and Energy. Senate substitute (S-3).

Committee recommended I.E.

\_\_\_\_ 38 \_\_\_\_\_

## **HB** 5193 Rep. Geiger

Watercraft; other; certain identification posted on floating rafts; require and provide penalties for noncompliance.

Amends sec. 80163 of 1994 PA 451 (MCL 324.80163).

I.E. House, April 25, 2000.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

\_\_\_\_ 39 \_\_\_\_\_

### HB 4621 Rep. Woodward

Health; other; use of "safe needles"; require in health care facilities.

Amends 1974 PA 154 (MCL 408.1001 - 408.1094) by adding sec. 24a.

I.E. House, June 20, 2000.

House substitute (H-4).

Reported by Committee on Health Policy.

Senate substitute (S-2).

### **HB** 4780 Rep. DeWeese

Health; other; use of "safe needles"; require in health care facilities.

Amends 1974 PA 154 (MCL 408.1001 - 408.1094) by adding sec. 24a.

I.E. House, June 20, 2000.

House substitute (H-3).

Reported by Committee on Health Policy.

Committee recommended I.E.

- 41 —

### HB 5272 Rep. Richardville

Education; teachers; individuals qualified to serve as substitute teachers; include individuals who have completed 90 hours of instruction at a community college.

Amends sec. 1233 of 1976 PA 451 (MCL 380.1233).

I.E. House, April 12, 2000.

For House amendment, see House Journal No. 30, page 657.

Reported by Committee on Education.

Senate substitute (S-1).

#### **HB** 4392 Rep. Cherry

Vehicles; trucks; open bed or cargo area of a pickup truck; prohibit riding in except in certain instances.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 682b.

I.E. House, June 8, 2000.

House substitute (H-2).

Reported by Committee on Transportation and Tourism.

For Senate amendments, see Senate Journal No. 64, page 1689.

Committee recommended I.E.

#### HB 5549 Rep. Garcia

Traffic control; traffic regulation; requirements for drivers of vehicles when approaching an emergency vehicle with flashing lights; provide for and provide penalties for violations.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 653a.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

#### SB 1378 Sen. Steil

Occupations; code; procedure for issuance of license or registration for certain individuals with certifications issued in Canada; provide for under certain circumstances.

Amends sec. 203 of 1980 PA 299 (MCL 339.203).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

**———** 45 **———** 

### SB 1317 Sen. Van Regenmorter

Children; child care; certain child day care centers; deregulate.

Amends sec. 1 of 1973 PA 116 (MCL 722.111).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

46

## **HB** 4456 Rep. Sanborn

Human services; children's services; self-defense training of children's protective services caseworkers; require, and require children's protective services caseworkers to perform certain duties in pairs.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 115p.

I.E. House, October 27, 1999.

House substitute (H-3).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-3).

#### **GENERAL ORDERS**

#### SB 641 Sen. McManus

Retirement; public school employees; definition of health insurance dependent; revise.

Amends sec. 91 of 1980 PA 300 (MCL 38.1391).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

- 48 **-**--

### SB 116 Sen. Hammerstrom

Counties; other; recording requirements; revise.

Amends sec. 2567 of 1961 PA 236 (MCL 600.2567) & adds sec. 2567b.

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-2).

Committee recommended I.E.

49

## **HB** 5043 Rep. Bishop

Income tax; credit; donations to art and education facilities or organizations; provide for credit.

Amends sec. 260 of 1967 PA 281 (MCL 206.260).

I.E. House, May 31, 2000.

House substitute (H-3).

Reported by Committee on Finance.

Committee recommended I.E.

— 50 ——

### SB 17 Sen. Bouchard

Crimes; criminal sexual conduct; definition of sexual contact; revise.

Amends sec. 520a of 1931 PA 328 (MCL 750.520a).

Reported by Committee on Judiciary.

Senate substitute (S-2)\*.

51

### **HB 5998** Rep. Birkholz

Higher education; community colleges; annexation of territory to community college districts comprised of intermediate school districts; expand to include contiguous counties.

Amends secs. 54, 57, 61, 62 & 63 of 1966 PA 331 (MCL 389.54 et seq.).

I.E. House, October 3, 2000.

House substitute (H-2).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

**—** 52 **—** 

### **HB** 4778 Rep. DeWeese

Traffic control; driver license; graduated licensing provisions; provide general amendments.

Amends secs. 306, 308, 309, 310e, 312, 312b, 320a, 323b & 811 of 1949 PA 300 (MCL 257.306 et seq.).

I.E. House, April 11, 2000.

House substitute (H-2)\*.

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

\_\_\_\_ 53 \_\_\_\_\_

### **HB** 5036 Rep. Green

Land use; zoning and growth management; township zoning in the vicinity of airports; provide for coordination with airport zoning and plans.

Amends secs. 3, 9, 11a & 40 of 1943 PA 184 (MCL 125.273 et seq.).

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

54

### HB 5037 Rep. Green

Land use; zoning and growth management; county zoning in the vicinity of airports; provide for coordination with airport zoning and plans.

Amends secs. 3, 9, 11a & 40 of 1943 PA 183 (MCL 125.203 et seq.).

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_\_ 55 \_\_\_\_\_\_

### HB 5706 Rep. C. Brown

Villages; boards and commissions; requirements for community centers; revise.

Amends secs. 3 & 5 of 1929 PA 199 (MCL 123.43 & 123.45).

I.E. House, June 1, 2000.

House substitute (H-1).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_\_ 56 \_\_\_\_\_

### **HB 5843** Rep. Pappageorge

Counties; boards and commissions; county parks and recreation commission; appoint county executive as member if county is over a certain population.

Amends title & sec. 1 of 1965 PA 261 (MCL 46.351).

I.E. House, October 4, 2000.

For House amendment, see House Journal No. 62, page 2237.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

57

### HB 5952 Rep. Rick Johnson

Counties; boards and commissions; term of chairperson of county board of commissioners; provide for 2-year term unless board provides for 1-year term.

Amends sec. 3 of 1851 PA 156 (MCL 46.3).

I.E. House, November 28, 2000.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 58 \_\_\_\_\_

### **HB** 4596 Rep. DeWeese

Health facilities; emergency medical services; general amendments to part 209 of the public health code; provide for.

Amends secs. 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975 & 20977 of 1978 PA 368 (MCL 333.20902 et seq.).

I.E. House, November 2, 1999.

House substitute (H-5).

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 59 \_\_\_\_\_

## **HB** 5689 Rep. Richardville

Health facilities; nursing homes; temporary administrative advisor, temporary clinical advisor, and temporary manager; allow department of consumer and industry services to appoint for nursing home or other health facility under certain circumstances.

Amends secs. 20162 & 21799b of 1978 PA 368 (MCL 333.20162 & 333.21799b).

I.E. House, May 25, 2000.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

60 —

#### **HB** 5736 Rep. Bovin

Health facilities; nursing homes; poorly performing nursing homes; clarify department of consumer and industry services' ability to work with public health institute to assist nursing home.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21787.

I.E. House, May 25, 2000.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

61

### HB 5760 Rep. Woronchak

Health facilities; patients; detailed list of services provided to treat Alzheimer's patients; require to provide to potential patients or residents.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 20178.

I.E. House, May 25, 2000.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

— 62 ———

### **HB** 5761 Rep. Vander Roest

Human services; adult foster care; detailed list of services provided to treat Alzheimer's patients; require to provide to potential patients or residents.

Amends 1979 PA 218 (MCL 400.701 - 400.737) by adding sec. 26b.

I.E. House, May 25, 2000.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_</del> 63 <del>\_\_\_\_\_</del>

### SB 1314 Sen. Schwarz

Torts; immunity; physician's assistants; add to list of medical professions granted immunity from liability under certain circumstances.

Amends secs. 1 & 2 of 1963 PA 17 (MCL 691.1501 & 691.1502).

Reported by Committee on Judiciary. Committee recommended I.E.

— 64 ———

### **HB 4779** Rep. DeWeese

Criminal procedure; sentencing guidelines; crimes of corrupting or attempting to corrupt an examining officer or person or agency conducting a driving test; include in sentencing guidelines.

Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12).

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-2).

**—** 65 **—** 

### HB 4525 Rep. Jellema

Crimes; criminal sexual conduct; sexual penetration or contact between certain individuals; prohibit regardless of consent.

Amends secs. 520a, 520d & 520e of 1931 PA 328 (MCL 750.520a et seq.) & adds sec. 520n.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-5).

<del>\_\_\_\_</del> 66 <del>\_\_\_\_\_</del>

### **HB** 5237 Rep. Mead

Civil procedure; other; self-service storage facilities; establish owner's liability of delinquent or abandoned units.

Amends title & secs. 3, 4 & 5 of 1985 PA 148 (MCL 570.523 et seq.).

I.E. House, May 2, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

#### **HB** 5672 Rep. Richner

Torts; governmental immunity; governmental function paid for by a private entity; extend immunity.

Amends 1964 PA 170 (MCL 691.1401 - 691.1415) by adding sec. 7a.

I.E. House, June 8, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

### **GENERAL ORDERS**

— 68 ———

### **HB 5928** Rep. Howell

Crimes; other; obstruction of justice; prohibit and provide penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 483a.

I.E. House, October 4, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-2).

\_\_\_\_\_ 69 \_\_\_\_\_

#### SB 1363 Sen. Johnson

Education; teachers; notification to school district and state when teacher is convicted of certain crimes; provide for.

Amends secs. 1535a, 1539a & 1539b of 1976 PA 451 (MCL 380.1535a et seq.).

Reported by Committee on Education.

Senate substitute (S-3).

Committee recommended I.E.

70

### **HB 4378** Rep. B. Brown

Education; teachers; satisfaction of reading credit requirements; require for teaching certificate.

Amends sec. 1531 of 1976 PA 451 (MCL 380.1531).

I.E. House, September 27, 2000.

House substitute (H-1)\*.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_\_ 71 \_\_\_\_\_

#### HB 5255 Rep. Richner

Education; discipline; standard for disciplining teachers and school employees for using corporal punishment; revise

Amends sec. 1312 of 1976 PA 451 (MCL 380.1312).

I.E. House, May 24, 2000.

House substitute (H-2).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

### HB 5256 Rep. Hager

Crimes; assaultive; exemption in assault and battery statute for school employees inflicting or causing corporal punishment of students; provide for.

Amends sec. 81 of 1931 PA 328 (MCL 750.81).

I.E. House, May 24, 2000.

For House amendment, see House Journal No. 48, page 1203.

Reported by Committee on Education.

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#### **HB** 6091 Rep. Richardville

State; historic sites; location of Michigan Vietnam veterans memorial monument and veterans memorial park; revise and create.

Amends title & secs. 2 & 5 of 1988 PA 234 (MCL 35.1052 & 35.1055) & adds sec. 5a.

I.E. House, November 28, 2000.

House substitute (H-1).

Reported by Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

Senate substitute (S-1).

Committee recommended I.E.

### 1174 Sen. Johnson

Criminal procedure; statute of limitations; statute of limitations for certain cases of criminal sexual conduct in which DNA evidence was obtained; eliminate.

Amends sec. 24. ch. VII of 1927 PA 175 (MCL 767.24).

Reported by Committee on Judiciary.

Senate substitute (S-1).

— 75 ———

#### **1408** Sen. Bennett

Law enforcement; law enforcement information network (LEIN); disclosure of certain LEIN information to private entities; allow in certain instances.

Amends title & secs. 1, 2, 3 & 4 of 1974 PA 163 (MCL 28.211 et seq.); adds secs. 1a & 3a & repeals sec. 6 of 1974 PA 163 (MCL 28.216) & repeals 1988 PA 307 (MCL 28.151 - 28.158).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

### **HB** 5782 Rep. DeVuyst

Criminal procedure; sentencing guidelines; crime of failing to provide trigger lock or other secure container with sale of firearm; include in sentencing guidelines.

Amends sec. 11, ch. XVII of 1927 PA 175 (MCL 777.11).

I.E. House, May 24, 2000.

Reported by Committee on Judiciary.

Senate substitute (S-4).

### HB 5925 Rep. Kowall

Crimes; other; juror intimidation; prohibit and provide

Amends sec. 120a of 1931 PA 328 (MCL 750.120a).

I.E. House, October 4, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

— 78 ———

#### **5929** Rep. Patterson

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of obstruction of justice; provide for.

Amends sec. 16x, ch. XVII of 1927 PA 175 (MCL 777.16x).

I.E. House, October 4, 2000.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

#### **GENERAL ORDERS**

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## HB 5930 Rep. Bradstreet

Crimes; other; witness intimidation, evidence tampering, or obstruction of justice; prohibit.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 122.

I.E. House, October 4, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

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## **HB 5931** Rep. Van Woerkom

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of witness tampering; provide for.

Amends sec. 16f, ch. XVII of 1927 PA 175 (MCL 777.16f).

I.E. House, October 4, 2000.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

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## HB 5932 Rep. O'Neil

Crimes; bribery; juror bribery; increase penalties. Amends sec. 119 of 1931 PA 328 (MCL 750.119).

I.E. House, October 4, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

— 82 ———

### **HB** 6015 Rep. Garcia

Criminal procedure; sentencing guidelines; sentencing guideline provisions regarding lane change requirements for vehicles approaching an emergency vehicle with flashing lights; provide for.

Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12).

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

### HB

6052 Rep. Howell Crimes; computer; acts that encourage threats or harassment of others through the internet; prohibit and provide penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 411s.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

### HB 4552 Rep. Switalski

Family law; marriage and divorce; domestic relations arbitration; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding ch. 50b.

House substitute (H-4).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

— 85 ——

### **HB** 4615 Rep. Shulman

Family law; marriage and divorce; domestic relations arbitration; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding ch. 50b.

House substitute (H-4).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-2).

Committee recommended I.E.

— 86 ——

### HB 4937 Rep. Raczkowski

Occupations; other; performing rights societies and their agents; regulate and mandate certain terms in royalty-payment contracts with establishments.

I.E. House, February 3, 2000.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

— 87 *—* 

### **HB** 5778 Rep. Howell

State; employees and officers; direct deposit of state employee payrolls; allow for certain enrolled employees.

Amends secs. 2 & 3 of 1991 PA 190 (MCL 487.2102 & 487.2103).

I.E. House, September 27, 2000.

For House amendment, see House Journal No. 59, page 2149.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

— 88 ———

### HB 5907 Rep. Wojno

Financial institutions; savings and loan associations; new definitions for savings bank act; provide for.

Amends secs. 102 & 103 of 1996 PA 354 (MCL 487.3102 & 487.3103).

I.E. House, November 14, 2000.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

— 89 —

## **HB** 5908 Rep. Bisbee

Financial institutions; savings and loan associations; examination of savings banks by commission schedule of supervisory fees; provide for approval on foundation and appeal procedures.

Amends secs. 209, 210, 213 & 214 of 1996 PA 354 (MCL 487.3209 et seq.).

I.E. House, November 14, 2000.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

#### **GENERAL ORDERS**

— 90 ———

### **HB** 5909 Rep. Sanborn

Financial institutions; savings banks; amendments; provide for.

Amends secs. 303, 307, 313, 314, 316, 317, 321, 322, 324, 325, 326, 334, 335, 336, 401, 409, 412, 413, 417, 422, 428, 430, 432, 508, 701, 703, 705, 706, 708, 709, 710, 711, 712, 713 & 804 of 1996 PA 354 (MCL 487.3303 et seq.); adds secs. 330a, 340, 501, 711a & 712a & repeals sec. 425 of 1996 PA 354 (MCL 487.3425).

I.E. House, November 14, 2000.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

### **HB** 5668 Rep. Green

Liquor; other; server training for certain new licensees or transferees; require.

Amends secs. 501 & 906 of 1998 PA 58 (MCL 436.1501 & 436.1906).

I.E. House, May 31, 2000.

House substitute (H-1).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

— 92 ———

### HB 5917 Rep. Sanborn

Occupations; security guards; private security guards; provide for reinstatement procedures and make other revisions.

Amends title & secs. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 17, 18, 19, 22, 25, 29, 30, 31, 32 & 33 of 1968 PA 330 (MCL 338.1051 et seq.) & repeals secs. 28 & 35 of 1968 PA 330 (MCL 338.1078 & 338.1085).

House substitute (H-1).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

93 —

### **HB** 6147 Rep. Tabor

Natural resources; hunting; mourning doves; list as game and authorize natural resources commission to declare first open season for game.

Amends sec. 40103 of 1994 PA 451 (MCL 324.40103) & repeals sec. 40110 of 1994 PA 451 (MCL 324.40110).

Reported by Committee on Hunting, Fishing and Forestry.

### RESOLUTIONS

— 94 ——

#### SCR 29 Sen. McManus

A concurrent resolution to memorialize the Congress of the United States to grant to the President fast-track negotiating authority for future trade agreements.

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

For text of resolution, see Senate Journal No. 81 of 1999, page 1794.

Adoption pending.

<del>\_\_\_\_\_</del> 95 \_\_\_\_\_

### SCR 10 Sen. Jaye

A concurrent resolution to express support for the recognition of the Republic of China on Taiwan.

Reported by Committee on Government Operations. For Senate amendments, see Senate Journal No. 36, page 597.

For text of resolution, see Senate Journal No. 34 of 1999, page 508.

Adoption pending.

<del>-----</del> 96 <del>-------</del>

### SCR 11 Sen. Jaye

A concurrent resolution to urge the administration to press the People's Republic of China to acknowledge and respect the culture and sovereignty of Taiwan.

Reported by Committee on Government Operations. For text of resolution, see Senate Journal No. 34 of 1999, page 508.

Adoption pending.

### **COMMITTEE REPORTS**

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### HB 4373 Rep. Cassis

Property tax; personal property; buildings on leased land; assess as real property.

Amends secs. 2, 8, 14 & 34c of 1893 PA 206 (MCL 211.2 et seq.).

I.E. House, November 30, 2000.

House substitute (H-4).

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **COMMITTEE REPORTS**

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### **HB** 4812 Rep. Switalski

Income tax; credit; adoption expenses; provide for credit. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 267.

I.E. House, October 28, 1999.

House substitute (H-2).

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>-----</del> 99 <del>-----</del>

### HB 4852 Rep. Woronchak

Income tax; credit; adoption expenses; provide for credit. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding ec. 267.

I.E. House, October 28, 1999.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **SCHEDULED MEETINGS**

### **Conference Committee -**

**SB 757 -** Wednesday, December 6, 9:30 a.m., Room 100, Farnum Building (373-1758)

**Families, Mental Health and Human Services -** Wednesday, December 6, 3:00 p.m., Room 100, Farnum Building (373-3543)

**Farming, Agribusiness and Food Systems -** Wednesday, December 6, 2:00 p.m., Room 405, Capitol Building (373-1725)

**Financial Services -** Wednesday, December 6, 9:00 a.m., Room 100, Farnum Building (373-1758)

**Human Resources, Labor, Senior Citizens and Veterans Affairs -** Thursday, December 7, 1:00 p.m. or later immediately following session, Rooms 402 and 403, Capitol Building (373-2417)

**Legislative Retirement Board of Trustees -** Wednesday, December 6, 3:00 p.m., Room H65, Capitol Building (373-0575)

## BILLS IN CONFERENCE

	Brief Title	Conferees		Report Agreed to	
Bill No.		Senate	House	Senate	House
SB 260	Children; support; divorce law	DeGrow	Perricone		
	, 11	Schwarz	Rick Johnson		
		Byrum	Kilpatrick		
SB 261	Children; support; child custody act	DeGrow	Perricone		
		Shugars	Rick Johnson		
		Byrum	Kilpatrick		
		(Second)			
SB 404	Health facilities; emergency medical services;	Shugars	Law	12/5/00	
	general amendments	Schwarz	DeWeese		
		Murphy	Schauer		
SB 694	Insurance; health; timely payment of	Schuette	Law	10/3/00	
	health care benefits	DeGrow	Perricone		
		Murphy	Schauer		
SB 757	Children; support; bond for individual	Bullard	Richner		
	arrested for failure to pay child support	Hammerstrom	Shulman		
	1 7 11	Dingell	Switalski		
SB 813	Courts; court of appeals; court of	Schuette	Richner		
	appeals redistricting; provide for	Sikkema	Koetje		
	certain standards	V. Smith	Baird		
HB 4335	Retirement; military; death of person with	Gougeon	Richardville		
	20 years or more of national guard or	McManus	Ehardt		
	defense force service	DeBeaussaert	Bovin		
HB 4530	Weapons, licensing; concealed weapon and	Hoffman	Green		
	pistol purchase	Bullard	DeVuyst		
		Dingell	Callahan		
HB 4532	Weapons; firearms; transportation	Hoffman	Green		
	requirements	Bullard	DeVuyst		
	1	Dingell	Callahan		